

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION**

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**WALTER P. EVERSULL, JR**

**CASE NO. 19-cv-716**

**-vs-**

**JUDGE DRELL**

**VALLEY FARMERS CO-OP, INC**

**MAGISTRATE JUDGE PEREZ-MONTES**

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**SUPPLEMENTAL RULING**


The court issued a ruling and judgment denying Walter P. Eversull, Jr's ("Eversull") motion for partial summary judgment (Doc. 30) and granting in part and denying in part the motion for summary judgment filed by defendant Valley Farmers Co-op, Inc. (Valley Farmers") (Doc. 31). Within that ruling, we failed to specifically address Valley Farmer's request to foreclose Eversull's ability to recover front pay, back pay, and/or punitive damages. Accordingly, we issue this supplemental ruling.

Eversull's entitlement to any damage award is dependent upon the trier of fact finding that Valley Farmers discriminated against Eversull on the basis of a perceived disability. Until a jury assesses the credibility of witnesses and returns a verdict in favor of Eversull on that issue, the issues of back pay, front pay, and punitive damages are not ripe. The would likewise be decided by the trier of fact at trial. The parties can present their cases regarding whether Eversull is entitled to these equitable remedies at trial. Until such time, the questions are premature.

Accordingly, Valley Farmer's request to prevent Eversull from recovering front pay, back pay, or punitive damages is DENIED. The motion for summary judgment on these issues of

damages are denied without prejudice.

THUS DONE AND SIGNED this 29<sup>th</sup> day of September 2021, at Alexandria, Louisiana.

A handwritten signature in black ink, appearing to read "Dee D. Drell", is written over a horizontal line.

DEE D. DRELL, JUDGE  
UNITED STATES DISTRICT COURT